

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILVIN OMAR FERNANDEZ,
individually and on behalf of others
similarly situated,
Plaintiff,

-v-

ALL AMERICAN WATER STREET
DELI, INC., d/b/a ALL AMERICAN
DELI, et al.,
Defendants.

18-CV-2988 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has been notified that the parties have reached a settlement in this Fair Labor Standards Act (“FLSA”) case, and they have submitted a proposed settlement for the Court’s approval. (Dkt. No. 31.) The proposed settlement involves \$40,000 to be allocated to Plaintiff Ilvin Omar Fernandez in connection with the federal and state labor-law claims in this case and in exchange for his relinquishment of any other claims “relating specifically to the claims in th[is] Litigation.” (Dkt. No. 31-1 at 2, 4.) One-third of the settlement sum will be collected in attorney’s fees and costs. (Dkt. No. 31 at 3–4.)

The Court has reviewed the terms of the proposed settlement and finds that they are fair and reasonable under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 203, 206 (2d Cir. 2015).

To that end, the proposed settlement at Docket Number 31-1 is approved, and the case is hereby DISMISSED WITH PREJUDICE. The Court shall retain jurisdiction solely to resolve any disputes arising from the settlement agreement and the settlement of this action.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: November 16, 2018
New York, New York



J. PAUL OETKEN
United States District Judge